

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:24CR59
)	
Plaintiff,)	
)	JUDGE JOHN R. ADAMS
v.)	
)	<u>ORDER</u>
JAMILL H. MCDONALD,)	
)	
Defendant.)	

Pending before the Court is Defendant Jamill McDonald’s *pro se* motion asserting that this Court unlawfully altered his indictment. Doc. 97. The motion is DENIED.

In his motion, McDonald contends that “the original indictment... stated that a warrant was executed on October 18, 2023.” Doc. 97 at 1. McDonald then goes on to argue that the warrant was actually executed in the early hours of October 19, 2023, thereby somehow invalidating his indictment. McDonald is incorrect in each of his assertions. First, the indictment does not include any discussion about a warrant. As such, there is no basis to argue that it misstates the date of said warrant’s execution. Second, to the extent that McDonald’s challenges the warrant because it claims that he committed his offenses “on or about October 18, 2023,” his argument also fails. “When ‘on or about’ language is used in an indictment, proof of the exact date of an offense is not required as long as a date reasonably near that named in the indictment is established.” *United States v. Ford*, 872 F.2d 1231, 1236 (6th Cir.1989). Accordingly, any argument from McDonald that his offense or the execution of the warrant happened hours after

October 18, 2023 does not provide a legal basis to challenge his convictions. McDonald's motion, therefore, is DENIED.

IT IS SO ORDERED.

February 26, 2025
Dated

/s/ John R. Adams
JUDGE JOHN R. ADAMS
United States District Judge